



## DEPARTMENT OF EDUCATION

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### STATE GUIDANCE

**To:** Child Nutrition Programs  
**From:** Mary Jo Marshall, B.S., Specialist  
**Date:** September 27, 2005  
**Subject:** School Meals Programs: Extension of Waivers Due to Emergency Conditions Caused by Hurricane Katrina  
**Policy Memo SP-05-29**

This memorandum announces the extension of waivers pertaining to school meals programs. A chart summarizing the previous waivers, and the action being taken in this memorandum, is attached, and a narrative description of these extensions follows.

- Emergency Feeding of School Children in Areas Devastated by Hurricane Katrina (memorandum issued on August 31, 2005): All provisions in this memorandum will remain in effect through November 30, 2005. School officials must still review an emergency eligibility determination 45 days after making that determination. **However, we wish to clarify that these reviews may be done on a group basis, as opposed to having school officials review the determinations on a household-by-household basis.**
- "School Meals Programs: Verification Procedures and Hurricane Katrina" (memorandum issued on September 7, 2005): All verification waiver provisions will remain in effect through School Year 2005-2006. In addition, the provision permitting local education agencies affected by Hurricane Katrina to submit late claims without a waiver request is extended to include October claims, which may be submitted as late as January 31, 2006, and November claims, which may be submitted as late as February 28, 2006..
- "Extension of 30 Day Limit for Initial Carry-over of Previous Year's Eligibility Due to Hurricane Katrina" (memorandum issued on September 15, 2005): As previously stated, State agencies have authority to extend the initial carry-over of the previous year's free or reduced price eligibility for an additional 30 days, for a total of 60 operating days, after the beginning of the school year. This provision was intended to address situations where a school was in session prior to the disaster, suspended operations temporarily, and then reopened in September or October. The relief provided in the September 15 memorandum should accommodate all schools reopening at any time during the fall.

Finally, we have been asked to specify the difference between “declared disaster areas” and “areas affected by Hurricane Katrina”. Waivers for declared disaster areas are limited to those counties or parishes designated on the Federal Emergency Management Agency website ([www.fema.gov/index2.shtm](http://www.fema.gov/index2.shtm) , then click on “2005 Federally Declared Disasters”) as eligible for “individual assistance”, that is, assistance to individuals and households. Waivers for areas affected by Hurricane Katrina include the above disaster areas plus any other areas where the State agency determines that the hurricane’s impact (in terms of displaced persons, food shortages, etc.) will have a significant impact on Program operations.

For further information call the Child Nutrition Division at 208-332-6820

Attachment: School Programs--Hurricane Katrina [HK] Waivers

Date	Description of Waiver	Area Covered	Set to expire	Action Taken in this memo
8/31	If unable to maintain records, school may claim all meals free	Declared disaster areas	9/30/05	Extended to 11/30/05
8/31	Flexibility—meal pattern, time of service, offer-versus-serve	Areas affected by HK	9/30/05	Extended to 11/30/05
8/31	Households certified for emergency food stamps are eligible for free meals	Areas affected by HK	9/30/05	Extended to 11/30/05
8/31	Where serving large numbers of displaced children, school officials may keep a list to document free eligibility, in lieu of individual applications	Declared disaster areas	9/30/05	Extended to 11/30/05
8/31	Special rules for families living together (see memo)	Areas affected by HK	9/30/05	Extended to 11/30/05
8/31	If school can't obtain application from household, school official may complete application	Areas affected by HK	9/30/05	Extended to 11/30/05
8/31	Crisis eligibility determinations should be reviewed after 45 days	Areas affected by HK	Continued	
9/7	Verification waived	Declared disaster areas	June 30, 2006	None needed
9/7	Verification: State agency may extend completion date, or waive	Areas affected by HK	June 30, 2006	None needed
9/7	Verification: Displaced families not verified	National	June 30, 2006	None needed
9/7	August and September claims may be submitted by 12/31/05 without waiver request	Areas affected by HK	9/30/05	Add October and November claims
9/15	Added 30-days "carryover" of free/reduced price eligibility	Areas affected by HK	[Date varies]	None needed